## **REMARKS**

Claims 1-17 are pending in this application. Claim 11 has been revised. Claims 1 and 12 are independent.

This Preliminary Amendment has been filed following a telephone call between the Examiner and Applicant's undersigned attorney. During that call the Examiner stated that a rejection under 35 U.S.C. § 101 of claim 11 could be avoided by revising claim 11 in the manner effected herewith. The Examiner is thanked for this helpful suggestion.

No fees are believed to be due in connection with the filing of this paper. If, however, the Commissioner deems otherwise, the Commissioner is authorized to charge fees now or hereafter due to Deposit Account No. <u>50-4019</u>.

Respectfully submitted,

Date: **December 18, 2009** 

By: /David L. Schaeffer/

Docket No.: NL030382US1

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